

REMARKS

Claims 11-14, and 16-23 are pending in the present application. Claims 12-14 have been changed in status from “withdrawn” to “previously presented” per the remarks below, and Claims 16, 22 and 23 have been canceled, leaving Claims 11-14 and 17-21 for consideration upon entry of the present Amendment and Response.

Allowable subject matter

Applicants note that, in the Final Office Action dated September 28, 2007, the Examiner rejected Claims 22 and 23, but did not indicate the disposition of Claims 11 and 17-21, including Claim 21 which was previously allowed in the Office Action dated April 17, 2007. In response to Applicant’s telephone inquiries of October 11th and 12th, 2007, Examiner Chu subsequently confirmed by telephone on October 15th and 25th, 2007, that Claim 21 remains allowed, and that Claims 11 and 17-20 are also presently allowed, and that the status of these claims was an inadvertent omission from the Final Office action. Applicants again wish to thank the Examiner for the further allowance of Claims 11 and 17-20.

Change in Claim Status for Claims 12-14 from “withdrawn” to “previously presented”

Applicants note that Claims 12-14 were previously withdrawn by the Examiner in the Final Office Action dated September 12, 2005 under 37 C.F.R. § 1.142(b) as being drawn to a non-elected invention. However, during the telephone call with Examiner Chu on October 25, 2007, the Examiner indicated that the present withdrawn status of Claims 12-14 is in fact incorrect as the status for these claims should have changed from “withdrawn” to “previously presented” upon entry of the RCE, cancellation of the composition claims 1-10, and election of the method claim 11 and dependents with the response filed on December 12, 2005. Therefore, Applicants herewith change the status of Claims 12-14 to be “previously presented”, and these claims should therefore also be allowable without further search as they depend from an allowable base claim (Claim 11). Claim 16, also withdrawn in the Final Office Action dated September 15, 2005, is canceled herewith which should be acceptable to the Examiner under 37 C.F.R. § 1.116,

as it is identical in scope to allowable Claim 18. Applicants therefore respectfully request the Examiner reconsider the status of and further allow Claims 12-14.

Reconsideration and allowance of the claims is respectfully requested in view of the above amendments and the following remarks.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Claim 22 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner states that the product by process claim is improperly named, and that the preamble is misleading and unclear. Applicants apologize for any possible confusion in this regard, and wish to emphasize that no attempt to mislead the Examiner was intended. Applicants however cancel Claim 22 herewith without prejudice, which should be acceptable to the Examiner under 37 C.F.R. § 1.116, and accordingly, the Examiner's rejection of Claim 22 is now moot. Applicants therefore respectfully request the Examiner reconsider and withdraw the rejection.

Claim Rejections Under 35 U.S.C. §103(a)

Claims 22 and 23 are rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,346,799 ("Jeffries") or U.S. Patent No. 5,324,620 ("Ebersole"), in view of U.S. Patent No. 5,853,949 ("Kodama"), U.S. Patent No. 5,346,799 ("Sheriff"), and U.S. Patent No. 6,232,031 ("Gracia").

The Examiner alleges that the subject matter of Claims 22 and 23, which subject matter corresponds to Claims 1-10 that were canceled in the response filed on June 17, 2005, are allegedly obvious over the above references, and that a photoresist film as recited in Claim 22 would also allegedly be obvious as prepared from a photoresist composition that has been allegedly found to be obvious. Further to the cancellation of Claim 22, Applicants also herewith cancel Claim 23 without prejudice, which should be acceptable to the Examiner under 37 C.F.R. § 1.116, and accordingly the rejection of both of these claims is moot. Reconsideration and withdrawal of the rejection to these claims is respectfully requested.

The claims as presented should now be acceptable to the Examiner. Accordingly, Applicants respectfully request reconsideration and allowance of the above claims in view of the above amendments, including reconsideration of any outstanding rejections, withdrawal of the restriction of Claims 12-14, and allowance of these claims in addition to previously allowed Claims 11 and 17-21.

If there are any additional charges with respect to this response or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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